

12-31-01

JC10 Rec'd PCT/PTO 24 DEC 2001

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY DOCKET NUMBER 344-P-22-CIPUSA
INTERNATIONAL APPLICATION NO. <input checked="" type="checkbox"/> PCT/US01/06318	INTERNATIONAL FILING DATE 27 FEB., 2001	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <b>10/019494</b>
LEOF INVENTION METHOD FOR DETECTING AND KILLING EPITHELIAL CANCER CELLS		PRIORITY DATE CLAIMED 28 FEB., 2000

## APPLICANT(S) FOR DO/EO/US

**SAMUEL D. BERNAL; DOUGLAS D. BURKETT; SETH D. ROSE; RALPH E. GREEN**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
- An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
- Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
- An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A change of power of attorney and/or address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22.  Certificate of Mailing by Express Mail
23.  Other items or information:

Copy of previously submitted Assignment document filed in International Application PCT/US01/06318.

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.494)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
<b>10/019494</b>	PCT/US01/06318	344-P-29-CIPUSA

24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

- |   |           |
|---|-----------|
| <input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... | \$1040.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....  | \$890.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....   | \$740.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....  | \$710.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....  | \$100.00  |

**CALCULATIONS PTO USE ONLY**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$1,040.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).

20     30

**\$130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	10 - 20 =	0	x \$18.00	<b>\$0.00</b>
Independent claims	2 - 3 =	0	x \$84.00	<b>\$0.00</b>
Multiple Dependent Claims (check if applicable).			<input checked="" type="checkbox"/>	<b>\$280.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,450.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$0.00</b>
<b>SUBTOTAL =</b>				<b>\$1,450.00</b>
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).				<input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 + <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,450.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input checked="" type="checkbox"/> <b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,450.00</b>
				<b>Amount to be: refunded</b> <b>\$</b>
				<b>charged</b> <b>\$</b>

- a.  A check in the amount of \$1,450.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_ A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William H. Drummond  
DRUMMOND & DUCKWORTH  
4590 MacArthur Blvd., Suite 500  
Newport Beach, CA 92660  
(949) 724-1255



SIGNATURE

**William H. Drummond**

NAME

**20,590**

REGISTRATION NUMBER

**October 24, 2001**

DATE

10/019494

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): BERNAL; BURKETT; ROSE; GREEN

Docket No.

344-P-29-CIPUSA

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: **METHOD FOR DETECTING AND KILLING EPITHELIAL CANCER CELLS**

I hereby certify that this Declaration and Power of Attorney (unsigned),  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on October 24, 2001  
*(Date)*

Lynne J. Craig*(Typed or Printed Name of Person Mailing Correspondence)*

*(Signature of Person Mailing Correspondence)*EL 736748222US*("Express Mail" Mailing Label Number)*

**Note:** Each paper must have its own certificate of mailing.